PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY , AUGUST 13, , 19 91

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE COUNCIL CHAMBERS Tuesday EVENING August 13 ,19 91 , IN Regular SESSION. PRESIDENT Samuel J. Talarico IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine , AND Sandra E. Kennedy CITY CLERK, AT THE DESK, PRESENT THE FOLLOWING MEMBERS five VIZ:

BRADBURY A ,	BURNS ✓ ,	EDMONDS ✓ ,
GiaQUINTA A ,	HENRY ✓ ,	LONG A ,
REDD A ,	SCHMIDT ✓ ,	TALARICO ✓ ,

ABSENT: 4

COUNCILMEMBER: Bradbury , GiaQuinta , Long , Redd ,

THE MINUTES OF THE LAST REGULAR July 23 ,19 ~~91~~

,19 ,

SPECIAL ,19 ,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED AND PUBLISHED.

THE COUNCIL THEN ADJOURNED

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana, and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings the Common Council of the City of Fort Wayne, Indiana, for its Regular Session, held on 13th day of August, 19 91, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 15th day of August, 19 91.

Sandra E. Kennedy

City Clerk

COMMUNITY & ECONOMIC DEVELOPMENT

MEMORANDUM

TO: Members of City Council

FROM: Michael Sapp M.A.S.

DATE: August 2, 1991

RE: Bostwick Annexation

Attached is the Fiscal Plan for the Bostwick Annexation. This approximately 38 acre site, which is zoned General Planned Commercial, is located on the north side of Illinois in the 4200 block. The site is developed with two residences and two commercial structures.

On August 24, 1988 the city and Jim Bostwick Pontiac, Inc. entered into a sewer extension agreement wherein Bostwick Pontiac waived its right to remonstrate against annexation.

On July 22, 1991, the City Plan Commission unanimously recommended approval of this annexation. No remonstrators appeared at the hearing.

THE CITY OF FORT WAYNE

FORT WAYNE - A WORLD - CLASS COMMUNITY

Paul Helmke
Mayor

24 July 1991

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
CityCounty Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinance is designated as:

Bill No. Z-91-07-17

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
24th day of July 1991.

Robert Hutner
Secretary

337-M

RECYCLED

FACT SHEET

Z-91-07-17
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE
Zoning Map Amendments
From B2B to B1B

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

Northwest corner of Cook & Coldwater Roads.

Reason for Project

Existing and proposed development of the entire site is not representative of a unified (planned) shopping center, and is marketable as low intensity individual lots.

Discussion (Including relationship to other Council actions)

15 July 1991 - Public Hearing

See Attached Minutes of Meeting

22 July 1991 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.

Of the nine (9) members present, eight (8) voted in favor of the motion, one (1) did not vote.

Motion carried.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Joe Zehr, President of NED Corporation City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	☒ For ☐ Against Reason Against
Board or Commission Recommendation	By ☒ For ☐ Against ☐ No Action Taken ☐ For with revisions to conditions (See Details column for condition
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pas

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start Date 30 May 1991

Projected Completion or Occupancy Date 24 July 1991

Fact Sheet Prepared by Date 24 July 1991

Patricia Biancaniello

Reviewed by Date 8/1/91

Michael A. Sapp

Reference or Case Number

Bill No. Z-91-07-17 - Change of Zone #479
From B2B to B1B
The Northwest corner of Cook and Coldwater Roads.

Joe Zehr, President of the NED Corporation appeared before the Commission. Mr. Zehr stated that after reviewing the staff report, it appears to go into complete detail as to why they are requesting the change of zone he felt it unnecessary to repeat that information. He stated that he would point out that this is a direct follow up of a Commission Meeting of several weeks ago when the Commission gave them a qualified approval of a secondary development plan on this property. He stated that one of the conditions of the approval was that they follow through and downzone the property from B2B to B1B.

The information Mr. Zehr referred to from the staff report follows.

Planning Staff Discussion:

At the current time this planned shopping center consists of the Plantation, Redi-Med, Hook's and the Resurrection Lutheran Church. The shopping center also includes an approximate 6.5 acres of ground to the north that is under different ownership.

The previous plans had indicated a more intense commercial type of development, with a more typical "shopping center" planned layout. The developer envisions this development as being less intense, and consisting of single low volume users on independent lots. In the review process for the development plan amendment it became obvious that the current proposal is not necessarily compatible with the existing zoning, and that the B-2 designation (and associated development plan) place some restrictions on development that are not compatible with the developers proposal.

Staff had a number of concerns regarding that proposed development plan, including access to the north, dedication of streets and setback requirements along the west side of the acreage. These concerns were derived from the zoning classification, and if the parcel were rezoned it would eliminate many of these problems.

In evaluating a rezoning petition, staff weighs it against an established criteria. This criteria includes the Comprehensive Plan, the character and condition of structures and uses in the area, the highest or best use of the land, conservation of property value, and principles of responsible development and growth.

In this case, this acreage is the only commercial development in the immediate area. The northeast corner of the intersection houses an office development, and a school is located to the south. Apartments exist both to the west and east, and there is undeveloped ground to the north. Continuing north, there is a

gradual transition into single family residential.

Since the initial approval of this shopping center in the 70's, there has been little physical development. Both the existing development pattern, and the proposed development by this petitioner are based on the "single lot user" concept, and are not necessarily indicative of a planned shopping center. While the potential uses will remain the same in either zoning, the actual site development will be somewhat less restrictive in terms of procedure and site layout, and the petitioner has indicated his interest in a less intense scale of development that would be compatible with the area. Staff has evaluated the alternatives and has determined that there is a minimal impact to the immediate area based on actual and proposed development. By approval of the petition, the Plan Commission may encourage the development of this ground, while maintaining the overall character of the area.

There are two items that the staff feels need to be pointed out. First, if the petition is approved, the eventual "sell-offs" of individual lots will required the owner to plat the ground, and install various capital improvements. The petitioner is aware of this.

Secondly, the existing B-2-B zoning, which was approved in 1988, includes approximately 6.3 acres of ground which is not included in this petition. That ground is located immediately north of the petitioned site, and is not owned by the petitioners. The future use of this acreage may become a concern that the Plan Commission will have to address in the future. We would suggest that it be used as a buffer development to further maintain the residential development to the north. The existing B-2-B zoning could accomplish that, but it may prove more prudent to address that issue when this (the petitioned) acreage is fully developed.

The owner of the Plantation Flowers & Gifts appeared before the Commission. She wanted to know if the reclassifying of this area, of which her store is part of, would alter their use of the property in anyway.

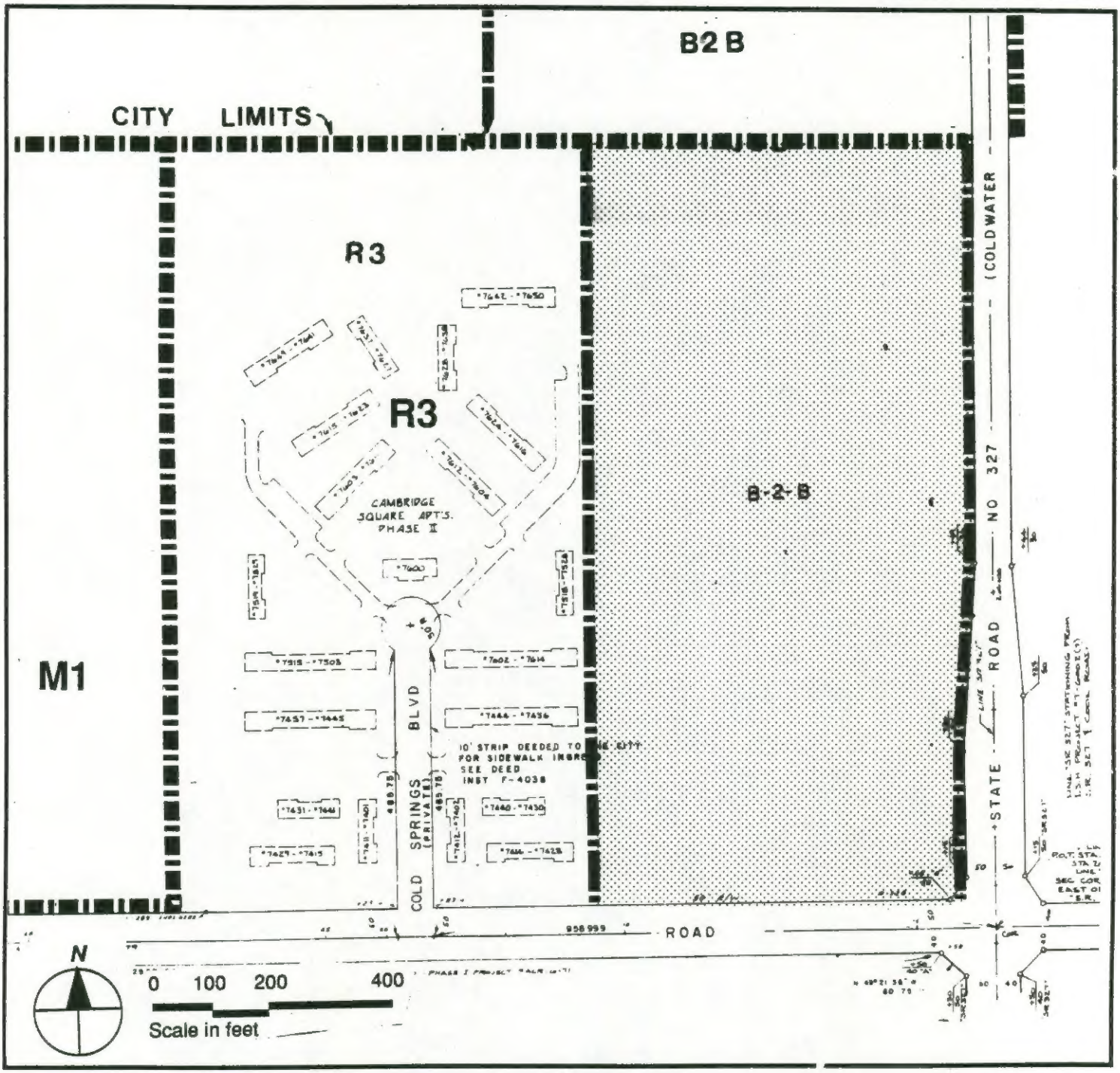
It was pointed out that this reclassification would not affect their current operation.

There was no one else who wished to speak in favor of or in opposition to the proposed rezoning.

REZONING PETITION

AREA MAP

CASE NO. #479



COUNCILMANIC DISTRICT NO. 3

Map No. M-46
LW 6-25-91

R1	One-Family	**B1**	Limited Business	**M1**	Light Industrial
R2	Two-Family	**B2**	Planned Shopping Center	**M2**	General Industrial
R3	Multi-Family	**B3**	General Business	**M3**	Heavy Industrial
RA/RB	Residential	**B4**	Roadside Business	**MHP**	Mobile Home Park
PUD	Planned Unit Dev.	**POD**	Professional Office District		

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 9, 1991 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-91-07-17; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 15, 1991.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resoluton adopted at the meeting of the Fort Wayne City Plan Commission held July 22, 1991.

Certified and signed this
24th day of July 1991.

Robert Hutner
Secretary

Joseph L. Zehr, President of NED Corporation, requests a change of zone from B-2-B to B-1-B.

Location: The NW corner of Cook and Coldwater Roads.

Legal: See file

Land Area: Approximately 18.88 acres

Zoning: B-2-B

Surroundings:

North	B-2-B	Undeveloped
South	RA	School
East	RA/POD	Apartments/Offices
West	R-3	Apartments

Reason for Request: Existing and proposed development of the entire site is not representative of a unified (planned) shopping center, and is marketable as low intensity individual lots.

Neighborhood Assoc.: None

Comprehensive Plan: The general land use policies of the Comprehensive Plan state that development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the are to be developed.

This project is located within the North Sector of the Outer Ring. The goal of the Outer Ring is to encourage growth in a balanced manner that is within or adjacent to existing development in the urban service area.

The North Sector is primarily suited for residential development. However, the area can also accommodate some commercial development. Any shopping centers of a community, metropolitan, or regional nature should locate within or near existing or approved commercial developments.

Neighborhood Plan: No comment.

Landscape: Rezoning this parcel to B-1-B removes many of the environmental mitigation controls available with B-2-B zoning. However, many of the issues requiring environmental mitigation are somewhat addressed through the parking area improvements section of the

Zoning Ordinance. Under B-2-B, a continuous landscape screen/buffer could be required along the entire west lot (development) line, adjacent to Cambridge Square Apartments. Under B-1-B, only the parking areas will be screened. It is recommended that approval for rezoning be granted if a continuous landscape screen, sufficient to screen site structures and parking from view of the apartments, be provided by petitioner.

Planning Staff Discussion:

At the current time this planned shopping center consists of the Plantation, Redi-Med, Hook's and the Resurrection Lutheran Church. The shopping center also includes an approximate 6.5 acres of ground to the north that is under different ownership.

The previous plans had indicated a more intense commercial type of development, with a more typical "shopping center" planned layout. The developer envisions this development as being less intense, and consisting of single low volume users on independent lots. In the review process for the development plan amendment it became obvious that the current proposal is not necessarily compatible with the existing zoning, and that the B-2 designation (and associated development plan) place some restrictions on development that are not compatible with the developers proposal.

Staff had a number of concerns regarding that proposed development plan, including access to the north, dedication of streets and setback requirements along the west side of the acreage. These concerns were derived from the zoning classification, and if the parcel were rezoned it would eliminate many of these problems.

In evaluating a rezoning petition, staff weighs it against an established criteria. This criteria includes the Comprehensive Plan, the character and condition of structures and uses in the area, the highest or best use of the land, conservation of property value, and principles of responsible development and growth.

In this case, this acreage is the only commercial development in the immediate area. The northeast corner of the intersection houses an office development, and a school is located to the south. Apartments exist both to the west and east, and there is undeveloped ground to the north. Continuing north, there is a gradual transition into single family residential.

Since the initial approval of this shopping center in the 70's, there has been little physical development. Both the existing development pattern, and the proposed development by this

petitioner are based on the "single lot user" concept, and are not necessarily indicative of a planned shopping center. While the potential uses will remain the same in either zoning, the actual site development will be somewhat less restrictive in terms of procedure and site layout, and the petitioner has indicated his interest in a less intense scale of development that would be compatible with the area. Staff has evaluated the alternatives and has determined that there is a minimal impact to the immediate area based on actual and proposed development. By approval of the petition, the Plan Commission may encourage the development of this ground, while maintaining the overall character of the area.

There are two items that the staff feels need to be pointed out. First, if the petition is approved, the eventual "sell-offs" of individual lots will required the owner to plat the ground, and install various capital improvements. The petitioner is aware of this.

Secondly, the existing B-2-B zoning, which was approved in 1988, includes approximately 6.3 acres of ground which is not included in this petition. That ground is located immediately north of the petitioned site, and is not owned by the petitioners. The future use of this acreage may become a concern that the Plan Commission will have to address in the future. We would suggest that it be used as a buffer development to further maintain the residential development to the north. The existing B-2-B zoning could accomplish that, but it may prove more prudent to address that issue when this (the petitioned) acreage is fully developed.

Recommendation: Do Pass, for the following reasons:

1) Approval is compatible with the existing character and conditions of use in the immediate area.

2) Approval would allow a low intensity non-residential development that would not detract from area property values.

3) Approval would be consistent with the intent of the Plan Commission regarding the future development of this intersection.

THE CITY OF FORT WAYNE

FORT WAYNE - A WORLD - CLASS COMMUNITY

Paul Helmke
Mayor

24 July 1991

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
CityCounty Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinance is designated as:

Bill No. Z-91-07-16

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
24th day of July 1991.

Robert Hutner
Secretary

337-M

RECYCLED

FACT SHEET

Z-91-07-16
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE
Zoning Map Amendment
From RA to B3B

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address
4601 & 4605 Illinois Rd

Reason for Project
This rezoning would make this parcel of land more consistent with the Plan Commission's policies for this area of Illinois Road and more compatible with the surrounding zoning and land uses.

Discussion (Including relationship to other Council actions)

15 July 1991 - Public Hearing

See Attached Minutes of Meeting

22 July 1991 - Business Meeting

Motion was made and seconded to PERFECT this request to a B1B and return it to the Common Council with a DO PASS recommendation.

Of the nine (9) members present, eight (8) voted for the motion, one (1) did not vote.

Motion carried.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Scott Lougheed City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	[X] For [ ] Against As perfected to a B-1-B.
Board or Commission Recommendation	By [ ] For [ ] Against [ ] No Action Taken [X] For with revisions to conditions (See Details column for conditions) PERFECT to B1B
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start — Date 3 July 1991

Projected Completion or Occupancy — Date 24 July 1991

Fact Sheet Prepared by — Date 24 July 1991

Patricia Biancaniello

Reviewed by — Date 8/1/91

Michael A. Sapp

Reference or Case Number

Bill No. Z-91-07-16 - Change of Zone #480
From RA to B3B
4601 & 4605 Illinois Road

Scott Lougheed, 3524 Saginaw Drive, petitioner appeared before the Commission. Mr. Lougheed stated that he had read the staff report and had no problems with the recommendation of the staff, which was to perfect the request to a B-1-B zoning.

The staff report follows.

Planning Staff Discussion:

This parcel is the property located immediately west of the proposed western Apple Glen access from Illinois Road. It is currently used for professional offices and is an apparent legal non-conforming use that has existed for a number of years.

This area of Illinois Road has been envisioned as being suitable for commercial development for a number of years. This is one of only two parcel between Apple Glen and Reckeweg Road that is still zoned residential.

This parcel is compatible with the surrounding zoning and land uses, and is somewhat consistent with the Plan Commission's policies for this area of Illinois Road, our only concern is the degree of intensity that the requested designated would allow.

The requested B-3-B zoning is an intense commercial designation that would allow a number of retail and services uses, which may not be fully compatible with the surrounding area. We would prefer to see the parcel rezoned to a B-1-B, which is less intense and is restricted to primarily retail and commercial uses. The B-1-B designation would permit approximately ninety (90) uses. We have discussed this option with the petitioner, and he does not have an objection to the perfection.

Our only other concern is regarding access. The existing access for this site is from an ingress/egress that will eventual serve as the access to Apple Glen. In the staff review of the Apple Glen proposal, a request was made to provide access to this site from the internal Apple Glen roadway system. This future interconnection will eliminate the need for a direct frontage road.

Recommendation: Perfect to a B-1-B and then grant a "Do Pass", for the following reasons:

1) Approval is consistent with the Comprehensive Plan and the Plan Commission's policies for this area of Illinois Road.

2) Approval would be consistent with other proposed and existing development in the immediate area.

3) Approval would represent the highest and best use of the property, and the conservation of property values.

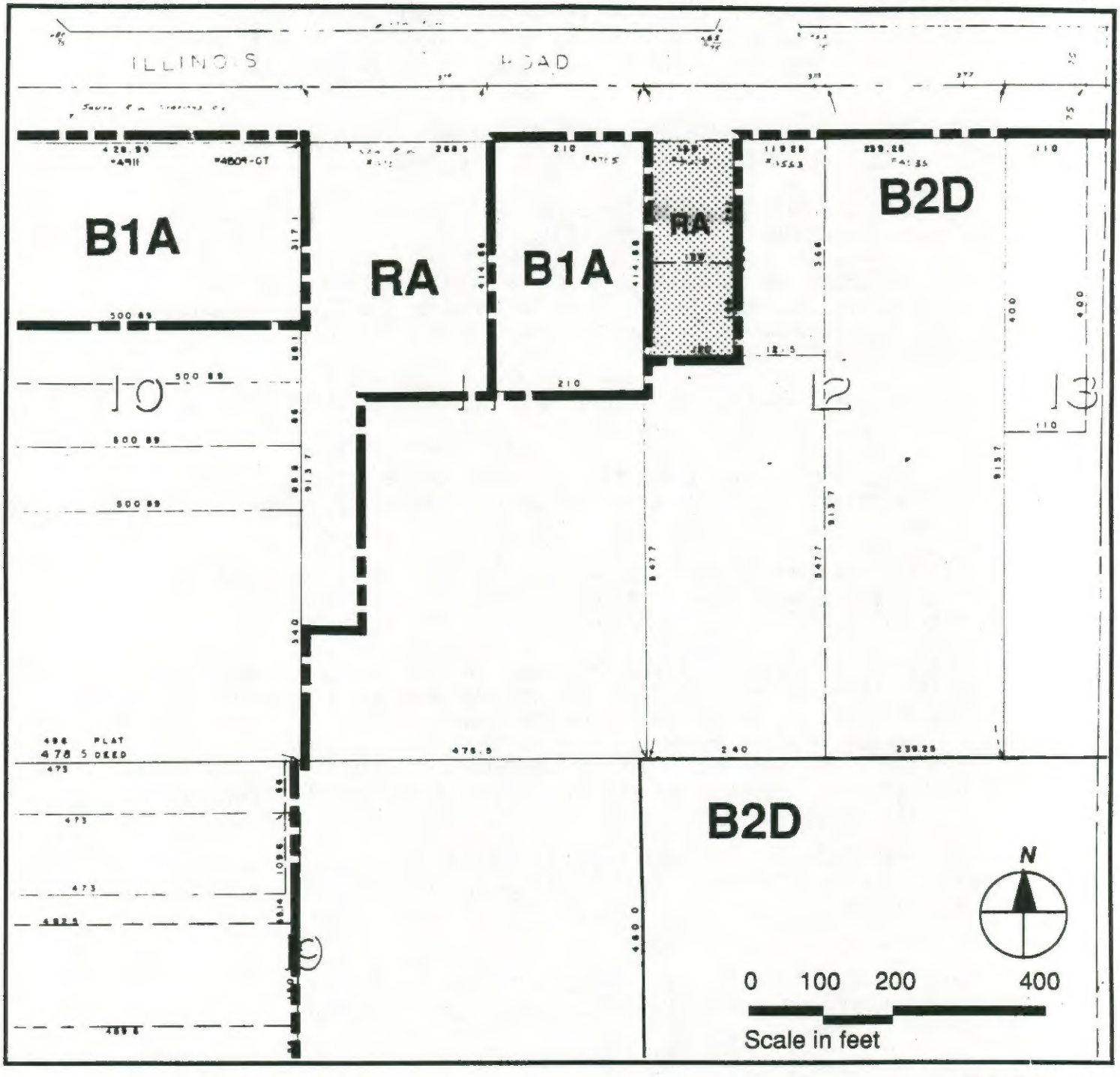
4) Approval as perfected will allow appropriate commercial development while limiting the possible negative impacts of more intense uses.

There was no one else who wished to speak in favor of or in opposition to the proposed rezoning.

REZONING PETITION

AREA MAP

CASE NO. #480



COUNCILMANIC DISTRICT NO. 4

Map No. F-2
LW 6-25-91

R1	One-Family	**B1**	Limited Business	**M1**	Light Industrial
R2	Two-Family	**B2**	Planned Shopping Center	**M2**	General Industrial
R3	Multi-Family	**B3**	General Business	**M3**	Heavy Industrial
RA/RB	Residential	**B4**	Roadside Business	**MHP**	Mobile Home Park
PUD	Planned Unit Dev.	**POD**	Professional Office District		

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 9, 1991 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-91-07-16; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 15, 1991.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resoluton adopted at the meeting of the Fort Wayne City Plan Commission held July 22, 1991.

Certified and signed this
24th day of July 1991.

Robert Hutner
Secretary

Scott & Robin Lougheed request a change of zone from RA to B-3-B.

Location:	4601-4605 Illinois Road		
Legal:	See File		
Land Area:	Approximately 0.83 acres		
Zoning:	RA		
Surroundings:	North	County	
	South	B-2-D	Proposed Apple Glen
	East	B-2-D	Proposed Apple Glen
	West	B-1-A	Offices
Reason for Request:	Not stated on petition		
Neighborhood Assoc.:	Reckeweg Road		

Comprehensive Plan: The general land use policies of the Comprehensive Plan states that development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed.

This property is located within the West Sector of the Outer Ring. The goal of the West Sector is to contain growth to the Urban Service Area.

This area of Illinois Road is an existing commercial strip which has an existing frontage road which should be part of any approval for development along this strip.

Neighborhood Plan: No comment.

Landscape: This proposed use is substantially more intensive than surrounding properties and could result in site development patterns which are out of character with surrounding properties. Suggest a less intensive land use as more appropriate. It would be difficult to rely on landscaping solely to reduce the intensity of use allowed under B-3-B zoning.

Planning Staff Discussion:

This parcel is the property located immediately west of the proposed western Apple Glen access from Illinois Road. It is currently used for professional offices and is an apparent legal non-conforming use that has existed for a number of years.

This area of Illinois Road has been envisioned as being suitable for commercial development for a number of years. This is one of only two parcel between Apple Glen and Reckeweg Road that is still zoned residential.

This parcel is compatible with the surrounding zoning and land uses, and is somewhat consistent with the Plan Commission's policies for this area of Illinois Road, our only concern is the degree of intensity that the requested designated would allow.

The requested B-3-B zoning is an intense commercial designation that would allow a number of retail and services uses, which may not be fully compatible with the surrounding area. We would prefer to see the parcel rezoned to a B-1-B, which is less intense and is restricted to primarily retail and commercial uses. The B-1-B designation would permit approximately ninety (90) uses. We have discussed this option with the petitioner, and he does not have an objection to the perfection.

Our only other concern is regarding access. The existing access for this site is from an ingress/egress that will eventual serve as the access to Apple Glen. In the staff review of the Apple Glen proposal, a request was made to provide access to this site from the internal Apple Glen roadway system. This future interconnection will eliminate the need for a direct frontage road.

Recommendation: Perfect to a B-1-B and then grant a "Do Pass", for the following reasons:

1) Approval is consistent with the Comprehensive Plan and the Plan Commission's policies for this area of Illinois Road.

2) Approval would be consistent with other proposed and existing development in the immediate area.

3) Approval would represent the highest and best use of the property, and the conservation of property values.

4) Approval as perfected will allow appropriate commercial development while limiting the possible negative impacts of more intense uses.